CLAIM REJECTIONS

The Examiner further rejects Claims 10, 15 & 20 under 35 U.S.C. § 112, paragraph 2, "as being indefinite for failing to particularly point out and distinctly claim the subject matter of which applicant regards as the invention." The Examiner also expresses his concerns that the antecedents of the terms, "components", "decrypted components", "decrypted component data files", and "decrypted data portions", "are not clear" and that these terms "can be interpreted in more than one way."

The Examiner further advises and requests that Applicant clarify these terms by taking the following actions: "(1) Point out, in the [drawing] figures, the location of these "components" and "decrypted components" and "decrypted component data files" and "decrypted data portions".

The Applicant respectfully submits that the terms and text within dependent Claims 10, 15 & 20, as well as within independent Claims 7, 12 & 17, are compliant with 35 U.S.C. § 112, paragraph 2 and such terms are clearly defined with particularity within the drawing figures as follows:

a) *components*

The multiple "components" are located within the secure multimedia presentation data files of the invention and these "components" clearly comprise the secure multimedia presentation data files of the invention which are clearly set forth as data or files as shown and specified in Figure 2, which is entitled *"Video Clip Data File Components Comprising An Encrypted Multimedia Presentation."* (emphasis added.)

As clearly set forth and detailed with particularity in Figure 2, these multiple "components" consist of "encryption & decryption key data & information", "encrypted password data information", "encrypted date expiration data & information", "encrypted video data", "encrypted audio data", "encrypted vector still or motion images and graphics data", "encrypted still raster images and graphics data", "encrypted HTML, hyperlinks, rich text & other textual data", and "encrypted synchronization information".

Respectfully, the "components" of the invention, as specified within the claims of the immediate patent application, are clearly shown in Figure 2 with particularity as data or in known file formats, such as "still images", "raster images", and "motion images", et. al., and are all clearly detailed and identified as "components" *located within* the encrypted multimedia presentation video clip data files of the invention.

Further, the specification text under the heading "BRIEF DESCRIPTION OF DRAWINGS" states, "**FIG. 2** illustrates the components which comprise a video clip data file that constitute a secure and encrypted multimedia presentation transmission and distribution file.", (emphasis added) which is clearly consistent with both the Figure 2 drawing and the text detailing the elements, features and methods within the claims, both of which clearly define with particularity the distinct subject matter of the "components" which the Applicant regards as the features of the invention and all of which is clearly compliant with rules for prosecution, reconsideration and/or allowance as set forth in the second paragraph of 35 U.S.C. § 112.

b) *decrypted components, decrypted component data files and decrypted data portions*

Drawing Figure 3 clearly details with particularity the text of the claims which detail the "decrypted components" of the invention, as "decrypted data portions" and or "decrypted data component files" which is because the features of the methods and system of the multimedia presentation invention's decryption methods function and operate with both "decrypted data portions" as well as with "decrypted data component files", as is clearly specified within the Figure 3 drawing.

Other drawing figures, which will be detailed below, clearly specifies further the location of the above features after decryption by the decryption logic of the playback interface of the invention (Fig. 7) but before playback and display by the playback interface of the invention in Fig. 7.

Figure 3's drawing elements further distinctly detail with particularity the "decryption of multimedia *data & component* files", (as shown in the "Encryption Key Decipher' group), the "decrypted compressed video data" component, the decrypted encoded audio data" component, and the "decrypted compressed raster & vector image data" components.

Other examples where the claims distinctly point out and teach with particularity that subject matter which the Applicant regards as the methods and features of the invention include:

1) Fig. 4, Item 100, clearly details with particularity the "decrypted components", "decrypted component data & files" and "decrypted data portions" methods and features of the invention as set forth, taught and recited in dependent Claims 10, 15 & 20 and in independent Claims 7, 12 & 17;

2) Fig. 5, Item 121 clearly details with particularity the "decrypted components", "decrypted component data files" and "decrypted data portions" features and methods of the invention as set forth, taught and recited in dependent Claims 10, 15 & 20 and in independent Claims 7, 12 & 17;

3) Fig. 5, Item 122 clearly details with particularity the "decrypted text component" features and methods of the invention as set forth, taught and recited in dependent Claims 10, 15 & 20 and in independent Claims 7, 12 & 17;

4) Fig. 5, Item 174 clearly details with particularity the location of the text component of the invention after decryption of the text component by the interface of the invention (Fig. 7), as set forth, taught and recited in dependent Claims 10, 15 & 20 and in independent Claims 7, 12 & 17;

5) Fig. 5, Item 132 clearly details with particularity the "decrypted component image data files" and Fig. 5, Item 132 details the "decrypted data portions" and "decrypted component data files" of the video and audio components of the invention as set forth, taught and recited in dependent Claims 10, 15 & 20 and in independent Claims 7, 12 & 17;

6) Fig. 5, Items 122 & 174 clearly details with particularity the location of the "decrypted text data component", the location of the "decrypted text data portion", and the location of the "decrypted text data file component" of the invention as set forth, taught and recited in dependent Claims 10, 15 & 20 and in independent Claims 7, 12 & 17;

7) Fig. 5, Item 132 clearly details with particularity the decryption and location of the "decrypted data components" for still images, and the decryption and location of the "decrypted

component data files" for still images of the invention as set forth, taught and recited in dependent Claims 10, 15 & 20 and in independent Claims 7, 12 & 17;

8) Fig. 5, Items 138 & 142 clearly details with particularity the decryption and location of the audio and video "components" of the invention, the decryption and location of "decrypted components" of the audio and video components of the invention, the decryption and location of "the decrypted component data files" of the audio and video components of the invention, and the decryption and location of the "decrypted data portions" of the audio and video components of the invention as set forth, taught and recited in dependent Claims 10, 15 & 20 and in independent Claims 7, 12 & 17;

9) Fig. 6, Items 201, 206, 208, 210, 212, 214, 220, 222, 230 & 234 clearly details with particularity the decryption and location of the textual "components" and textual "decrypted data portions" of the invention, the decryption and location of "decrypted components" of the textual components of the invention, and the decryption and location of the "decrypted component data files" of the textual components of the invention as set forth, taught and recited in dependent Claims 10, 15 & 20 and in independent Claims 7, 12 & 17;

10) Fig. 7, Items 50, 52 & 54 clearly details with particularity the decryption and display locations of the decrypted video, text and image "decrypted components" of the invention, the decryption and display locations of the decrypted video, text and image "decrypted component data files" of the invention, and the decryption and display locations of the "decrypted data portions" of the video, text and image components of the invention as set forth, taught and recited in dependent Claims 10, 15 & 20 and in independent Claims 7, 12 & 17.

In light of the above, Applicant respectfully submits that dependent Claims 10, 15 & 20 and independent Claims 7, 12 & 17 are, together with the drawings and the text within the above noted claims, compliant with the rules of 35 U.S.C. § 112, and that Claims 7, 10, 12, 15, 17 & 20 and the drawings should respectfully be reconsidered for allowance because they point out and clearly detail with particularity all of the distinct and unique subject matter which comprises the invention within the instant application.

REJECTIONS BASED ON TRADITIONAL PATENT LANGUAGE

On Page 4, Item (2) of the Detailed Action within the 05 June 2007 Office Action, Applicant respectfully takes note where the Examiner kindly and respectfully requests that all terms be consistent and adhere to "traditional patent language" because "the Office has trouble understanding as to which components are being decrypted, and which items are being synchronized with which other items."

Respectfully, the Applicant has re-read the Examiner's requests, advisements and examples multiple times regarding the first time usage of a term where "an indefinite or no article is [to be] used." The Applicant has also respectfully re-read the Examiner's additional examples set forth multiple times, where the Examiner cites that "When a term is used in the later times, a definite article (such as "said" or "the") is used.", and that "When a term is used to refer to more than one item, then cardinal language is used (such as "first" item and "second "item")." (underlined emphasis added.)

The Applicant has re-read multiple times, and in thorough detail, all the of text comprising Claims 7-21 of the instant application, but can not distinguish from the examples and instructions given and requested by the Examiner, especially as to where such grammatical corrections or grammatical modifications to Claims 7-21 should be applied, because of the non-specificity of where these "grammatical first and second article", "cardinal" and "non-traditional patent language" modifications occur within the text of the Claims within the instant application.

The Applicant respectfully points the Examiner to Item 63 of the published application for the invention (No. 10/622,155) where, under the subheading "Related U.S. Application Data" it is stated that the instant application is a "Continuation-in-part of application No. 09/435,999, filed on Nov. 8, 1999, now abandoned, which is a continuation of application No. 08/277,865, filed on Jul. 20, 1994, now abandoned."

With the above in mind, the Applicant respectfully points the Examiner to the now abandoned No. 08/277,865 Jul. 20, 1994 application from which subsequent applications and responses submitted to the Office, using what might be termed "non-cardinal" or "non-traditional patent language", was granted as a U.S. Patent, No. 5,983,236 to the Applicant (as a named inventor) on Nov. 9, 1999.

The Applicant reserves the right, as specified under MPEP 2111 rules, but has not attempted within the instant application to be his own lexicographer; as such the Applicant respectfully believes, and can not find within the instant application, its claims, or its specification, that there is use of "non-cardinal language" or "non-traditional patent language" but rather that the language and words used by the Applicant were for the purposes of specifically detailing the invention, in plain meanings and within the working context of the unique invention, so that during examination and prosecution the claims may be interpreted as broadly as their terms reasonably allow as set forth in the above referenced and other MPEP rules.

Applicant therefore respectfully submits that if the claims within the instant application are read from the beginning of Claim 7 through Claim 21, that the correct grammatical foundations are laid out and set forth in logical sequences where the claims point out and teach clearly with particularity, the distinct subject matter of the invention, all of which complies with 35 U.S.C. § 112 and with MPEP rules specifying that the invention be described plainly and clearly. For these reasons, the Applicant respectfully requests that Claims 7 through 21 be reconsidered for allowance.

Applicant has also duly noted that the Examiner appears to have within his records and patent application prosecution wrapper files an incomplete or mis-transmitted copy of U.S. Patent Application No. 10/622,155, and therefore, the Applicant has included a copy of the published U.S. Patent Application Publication for the instant patent application.

35 U.S.C § 103(a) Claim Rejections

The Examiner cites 35 U.S.C § 103(a) as the basis for the rejection of Claims 7-9, 12-14, 16, 17-19 and 21 as being unpatentable because of the prior art disclosed by "Konstantas" - along with the 05 June 2007 Office Action, the Examiner submitted to the Applicant a non-patented but "published white paper" or "technical article" authored in September of 2000 by Dimitris Thanos and Dimitri Konstantas (hereafter "Konstantas") and entitled *'Commercial Dissemination of Video over Open Networks; Issues and Approaches'*.(emphasis added)

The Examiner further states "Regarding claim ***1***, Konstantas teaches..." whereas the Examiner then continues within the Detailed Action to cite the full text of ***Claim 7*** of the instant application as being taught by Konstantas. The Applicant, however, believes that the Examiner meant to state "Regarding Claim *7*, Konstantas teaches..." On this basis Applicant will respectfully address below that which is clearly taught by ***Claim 7*** of the instant application with particularity but is not taught in any manner by Konstantas.

As cited by the Examiner's 05 June 2007 Office Action text, the text of Claim 7 of the instant application claims the non-obvious art of the unique invention and teaches:

1a) "A method for providing a multimedia presentation to a computer user or to users of devices with a central processing unit equipped with an output display and audio device..."

1b) Konstantas does not disclose or teach the above method, or any other method, for providing a multimedia presentation in any manner, but teaches overall the use and implementation of a system that splits or divides single frames of video into numerous segments. Respectfully, there is not one instance, hint, inference or reference that alludes to or teaches a multimedia presentation system anywhere within the Konstantas article or 'disclosed art taught' within the Konstantas article or document.

1c) As per the 'disclosed art taught' by Konstantas, the Konstantas method merely splits a single frame of video, initially into six pieces of video, of which these six pieces of video are then 'replicated' by another six times split in the example taught, of which each of the resulting 36 pieces of video are 'watermarked' and then distributed in individually encrypted video-segment streams for decryption at the end user's location. Respectfully, this is not a method or system for practicing or providing a multimedia presentation in any manner.

1d) Further Konstantas' method and art does not and can not in any manner teach or practice, nor does it disclose, a method for providing a multimedia presentation because the content delivered and displayed to end users via Konstantas' method is in fact, and simply, non-interactive, non-multimedia audio and video. Further Konstantas' video segment stream does not contain textual, still

image or other components that could or would comprise a multimedia presentation in any manner.

1e) Konstantas' has only one method which teaches only the non-multimedia distribution of video to end viewers watching a simple television program, a method which contains only simple audio and video, and which, by the example set forth in the Konstantas non-patented 'white paper', is as obvious as the everyday activity and actions that tens of millions of TV viewers undertake daily when playing back and watching a recorded or video taped television program. This is not a method or system for practicing or providing a multimedia presentation in any manner and, respectfully, is not prior art over the unique invention comprised within the methods and claims set forth within the instant patent application.

2a) The text within Claim 7 of the instant application continues and specifies the method for the invention's unique and non-obvious "encrypted multimedia presentation data file, the multimedia presentation data file which includes and contains or may contain elements of encrypted video component data and files, encrypted audio component data and files, encrypted text component data and files, encrypted hyperlinks and HTML component data and files, encrypted still raster image or graphic component data and files, encrypted motion or still vector image or graphic component data and files, and encrypted synchronization data;"

2b) Konstantas does teach Internet video on demand but does not teach the methods and system of the unique invention disclosed within the instant patent application. Konstantas, et. al., does not teach or disclose anywhere within their unpatented 'white paper' a multimedia presentation. Nor does Konstantas teach a multimedia presentation data file in any manner or method, which consists of the above methods taught and clearly detailed with particularity in the instant patent application, of an encrypted multimedia presentation data file which is comprised of component data or component data files consisting of audio, video, HTML, text, raster still images, still or motion vector images (i.e., images consisting of x, y or z axis points that comprise vectorized images) or synchronization data components or files that comprise the encrypted multimedia presentation data file from which a decrypted multimedia presentation can be played back interactively within a unique graphical user interface as clearly detailed with particularity within the claims, specifications and drawings of the instant application.

3a) The text cited by the Examiner, within Claim 7 of the instant application, continues and specifies the method for the invention's unique and non-obvious means and methods of "displaying a graphical user interface comprising at least first and second display areas of decrypted multimedia component data or files and user display controls to interactively display a decrypted multimedia presentation; and concurrently displaying, in the first and second display areas, decrypted multimedia presentation component data or files respectively associated with the first and second display areas, in accordance with user commands entered through user display controls and further in accordance with the decrypted synchronization data."

3b) Konstantas teaches "synchronization between the main content and encrypted part components" (i.e., the 36 separate video pieces noted above) but such 'components' comprise video and audio only and such a method does not teach those other component files, data and elements that would comprise a multimedia presentation, multimedia presentation file or the synchronization of a multimedia presentation or the multimedia presentation file's components. To be consistent, 'the art disclosed' by Konstantas does not comprise and does not teach synchronization of an encrypted multimedia presentation file with the multimedia data and file components being decrypted and extracted from an encrypted multimedia presentation data file to provide a method and system for a secure multimedia presentation, of which such methods are unique and non-obvious within the invention disclosed in the instant patent application.

4a) Applicant agrees with the Examiner that Konstantas does not teach HTML within the sense of the claims, but Applicant respectfully submits that it is not known, and it is non-obvious in the art of the unique invention disclosed, to include HTML within encrypted multimedia presentation files and then decrypt them for re-display for the purposes of providing a method and system for a secure multimedia presentation.

4b) Further, the Examiner cites that the HTML art is well known for the motivation of having easier control of display data, however, *motivation* is not *disclosure or application* as is applied within the non-obvious art taught within the unique invention disclosed in the instant application which provides a method and system for a secure multimedia presentation.

5) Regarding Claim 8, the Examiner cites that such GUI multiple display areas are well known in the art (e.g. Windows) for the motivation of providing concurrent display, however, such art is non-obvious and not known as taught within the methods and means of the unique invention, taught and disclosed within the subject matter, drawings and claims of the instant patent application which teaches and provides those unique and non-obvious methods for providing a secure multimedia presentation system.

6) Regarding claim 9, the Examiner cites that "such sequential extracting, etc. are well known in the art (e.g. streaming video) for the motivation of providing immediate access to video." Again, the Applicant respectfully submits that *motivation* is not *application* as is applied within the non-obvious art taught within the unique invention as disclosed in the instant application which provides a method and system for a secure multimedia presentation. Further, streaming video is not the *action* or *application* of extracting encrypted multimedia component data and files and then decrypting such data and files as is applied within the non-obvious art taught within the unique methods of the unique invention disclosed in the instant application which provides a method and system for a secure multimedia presentation.

7) Regarding claim 11, the Examiner cites that file identifiers are well known for the *motivation* of distinguishing among files, however and once again, such motivation is not *action* or *application* as taught and applied within the art of the unique invention disclosed in the instant patent application which provides a method and system for a secure multimedia presentation.

8) Regarding Claims 12-14 and 16, the Examiner cites that these claims are system analogs of the text within Claims 7-9, and 11, and that these claims are unpatentable, however, for both the facts previously cited in response to the Examiner's claim rejections above, the Applicant also respectfully submits for reconsideration that Claims 12-14 and 16 have unique text added to further detail and disclose with particularity the art of the invention, which is text that substantially differs within the text of Claims 7-9 & 11 that teaches and discloses the unique invention.

9) Regarding Claims 17-19 and 21, the Examiner cites that these claims are computer readable analogs of Claims 7-9, and 11, and that these claims are unpatentable, however and again, for both the facts previously cited in response to the Examiner's claim rejections above, the Applicant also respectfully submits for reconsideration that Claims 17-19 and 21 have unique text added to further detail and disclose the art of the invention with further particularity that substantially differs but adds clarity (and limitations) to the text of Claims 7-9 & 11 and thusly adds further details (and limitations) to the claims noted.

For the prior reasons and responses stated above, which address all concerns within the 05 June 2007 Office Action, Applicant respectfully requests that all text, artwork and claims previously submitted to the Office be reconsidered and subsequently allowed without modification for advancing prosecution and final action for the unique art comprising the unique invention disclosed within U.S. Patent Application 10/622,155.

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Inventor, Applicant and Agent of Record

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